

Rule 1073-1. Divisional and Judicial Assignment of Cases.

(A) Divisional Assignment. When assigning divisional venue, the clerk shall:

- (1)** if the debtor is an individual, assign the case to the division where the “Street Address of Debtor” is located according to the petition;
- (2)** if the debtor is a non-individual, assign the case to the division which the petition indicates is the “Location of Principal Assets of Business Debtor”;
- (3)** if joint administration appears to be appropriate under Local Rule 1015-1(A) because a related case is pending in this court, assign the case to the division in which the related case is pending without regard to subdivisions (1) and (2); or
- (4)** if the Local Form “Declaration of Divisional Venue” accompanies the petition, assign the case to the declared division without regard to subdivisions (1), (2) and (3).

A Declaration of Divisional Venue shall (1) state as the basis for divisional venue a ground available for declaring district venue pursuant to 28 U.S.C. § 1408 and (2) state a basis which justifies that assignment to the declared division is in the greater interests of judicial economy and efficiency. Assignment of the case pursuant to such a declaration is subject to judicial review.

[Comment: See Local Rule 1071-1 (divisions of court).]

(B) Judicial Assignment.

- (1)** Except as provided in subdivision (2), all cases shall be assigned on a blind rotation basis, within each chapter category, to a judge assigned to hear cases in the division to which the case has been assigned pursuant to subdivision (A).
- (2)** Assignment to a specific judge shall be made without regard to divisional classification in the following cases:
 - (a)** all husband and wife cases, whether filed jointly or severally, shall be assigned to the same judge;
 - (b)** related cases shall be assigned to the same judge pursuant to subdivision (B)(1) if the petition is accompanied by a motion for joint administration at the time of filing or upon determination by the clerk that the cases may be ordered jointly administered pursuant to Bankruptcy Rule 1015; and
 - (c)** cases assigned to the West Palm Beach division shall, upon conversion to chapter 13, be assigned to the judge chambered in that division.
- (3)** A matter from which a judge has been recused shall be randomly reassigned by the clerk to another judge.

- (4) The judge to whom any case or proceeding is assigned may, at any time, reassign the case or proceeding to any other consenting judge in its entirety or for any limited purpose.

[Comment: See also Local Rules 1015-1(A) (judicial assignment of related case filed later) and 7003-1(C) (judicial assignment of adversary proceedings).]

☞ 2002 Amendment: Amended to incorporate the provisions AO 98-8.